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*Attorneys for NexPoint Advisors, L.P. and  
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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

JAMES DONDERO, NANCY DONDERO, AND THE  
DUGABOY INVESTMENT TRUST,

Defendants.

Adv. Proc. No. 21-03003

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HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT FUND  
ADVISORS, L.P.,

Defendant.

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Adv. Proc. No. 21-03004-sgj

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HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

NEXPOINT ADVISORS, L.P., JAMES DONDERO,  
NANCY DONDERO, AND THE DUGABOY  
INVESTMENT TRUST,

Defendants.

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Adv. Proc. No. 21-03005

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HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT SERVICES,  
INC., JAMES DONDERO, NANCY DONDERO, AND  
THE DUGABOY INVESTMENT TRUST,

Defendants.

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Adv. Proc. No. 21-03006

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HCRE PARTNERS, LLC (n/k/a NexPoint Real Estate Partners, LLC), JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,

Defendants.

Adv. Proc. No. 21-03007

### **STIPULATION TO EXTEND TIME OF SUMMARY JUDGMENT BRIEFING**

This Stipulation is entered into between and among Highland Capital Management, L.P., the plaintiff (the "Plaintiff") in the above-referenced adversary proceedings (the "Adversary Proceedings"), on the one hand, and James Dondero, Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., Highland Capital Management Services, Inc. and HCRE Partners, LLC (the "Defendants") (Plaintiff and Defendants together, the "Parties"), the defendants in the Adversary Proceedings, on the other hand.

### **RECITALS**

WHEREAS, on January 22, 2021, Plaintiff commenced the Adversary Proceedings;

WHEREAS, Plaintiff subsequently amended its pleading to add additional claims and parties (collectively, the "Amended Complaints");

WHEREAS, Plaintiff filed its Motion for Partial Summary Judgment (the "Summary Judgment Motion");

WHEREAS, the deadline for Defendants to file their opposition to the Summary Judgment Motion is January 17, 2022;

WHEREAS, the deadline for Plaintiff to file its reply in support of the Summary Judgment Motion is January 31, 2022;

WHEREAS, oral argument on the Summary Judgment Motion has been scheduled for March 8, 2022, at 9:30 a.m. (the "Hearing Date"); and

WHEREAS, the Parties have agreed to enter into this Stipulation to extend the briefing schedule on the Summary Judgment Motion.

### **STIPULATION**

NOW, THEREFORE, in consideration of the foregoing, the Parties agree and stipulate as follows:

1. The Parties agree that the deadline for Defendants to file their opposition to the Summary Judgment Motion and all documents in support thereof shall be extended to, and include, **January 20, 2022 at 11:59 p.m.**

2. The Parties agree that the deadline for Plaintiff to file its reply in support of the Summary Judgment Motion and all documents in support thereof shall be extended to, and include, **February 7, 2022 at 11:59 p.m.**

3. The Parties agree that Defendants will not file anything in response to the Summary Judgment Motion other than the opposition, evidence, and/or motions to strike and objections and specifically agree that Defendants will not seek to stay or continue any of the deadlines set forth herein or the Hearing Date (absent compelling circumstances) on the Summary Judgment Motion or seek to have it heard by a different court or judge.

Dated: January 12, 2022

CONSENTED AND AGREED TO BY:

/s/ John A. Morris

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/s/ Michael P. Aigen

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**CERTIFICATE OF SERVICE**

I certify that on January 12, 2022, a true and correct copy of the foregoing document was served via the Court's Electronic Case Filing system to the parties that are registered or otherwise entitled to receive electronic notices in this adversary proceeding.

/s/ Michael P. Aigen

Michael P. Aigen